App F IX 4

This file contains
and 181-44 (2223)

Previous References
ml 181-44 (6712)

1944 4
(ml( )

File No ~~181-44~~ 42-45
Serial Nos ~~2 3~~ 6162

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos
TWO

Part B for Appeals

SUBJECT

Election of Non-Official President to the Whole — Karachi Municipality

L 10-25 Q 22-4-46

To the Compt & M G

N Stg to me

Ltr

Office of the Deputy Commissioner,
Hassan District,
Dated Hassan, the 12th May-'45

No M L C 1071/44-45

ML 181-44-22

7468/L

From
The Deputy Commissioner,
Hassan District

To
The Legal Remembrancer and Secretary to Government,
Law Department, Bangalore

Sir,

Re: Election of a non-official President to Holenarsipur Town Municipality

--

I have the honor to state that the Government granted in their Order No L.5448-50/M L 181-44-7 dated 5-12-1944 to the Town Municipal Council of Holenarsipur, the privilege of electing a non-official President from among themselves The Amildar President was instructed to take action for conducting the election which was fixed to 24-1-1945 Mr J P Khanderaya Setty one of the Municipal Councillors presented a petition on 9-1-45 stating that the G O granting the privilege has not been placed before the Council, that the term of the office has not been fixed, that inconvenience will be caused on account of the ensuing general elections to the R A and Legislative Council and that the election of the non-official President fixed to 24-1-45 may be postponed etc , The cattle census had to take place on 31-1-45 and the general elections to Representative Assembly and Legislative Council on 17th, 18th and 19th of February 1945

In the above circumstances the Amildar President was instructed to postpone the election till after the R A and L C elections, to place the G O granting the privilege before the Council and to take further action for holding the elections The Municipal Council have recorded the G O dated 5-12-44 at their meeting held on 30-1-1945 and expressed their deep felt gratitude to Government They have again resolved at their meeting held on 29-3-45 to request Government to renew the privilege since the election was not held within two months from the date of granting the privilege according to para 1 of the election rules

I therefore request that sanction of Government to the privilege of electing a non-official President may kindly be renewed as the time for conducting the elections has expired

A copy of the resolution dated 29-3-1945 is enclosed

I have the honor to be,
Sir,
Your most obedient servant,
Hanumanthaiya
for Deputy Commissioner,
Hassan District

1) In the circumstances reported by the D C, a draft order is put up for the proposal

Mea 16/5

2) This is a purely local matter. The grounds on which the election was ordered to be postponed are hardly convincing. The Amildar President should have taken more interest in keeping at least to the rules prescribed

P&R

Lawsey 17/5/45

3/ Nelson Rowland

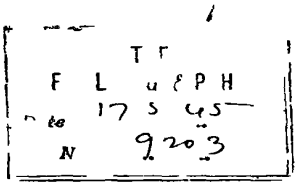
7468/1 Election of P&L to Wolverine shall have been taken in time according to rules

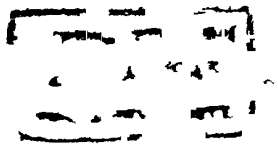
4/ The privilege may be renewed

Mr. Lee 17 5-45

57. Mr. 22 5-45

Mr. 22 5-46





6/ Mr. Hussmann

To,

Mr. D. C Hussmann

L 11660 dt 2-6-45

Sanctions the proposal

Cons A
Mr 11/8

7/ Pl enquire whether the election was held (Photo received after)

Mr 11/11

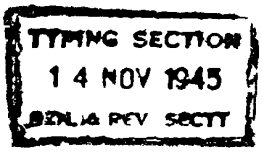
8/ Submit with a ffc letter

9/ Mr. 17/11/45

To, Mr. D C Hussmann

L 3783 dt 15-11-45

Cons A Mr 19/11 calls for a report



4052/L Election of pdrs to H'Hamanshan

General and Revenue Secretariat | File No ____ of 194 | [App F III-2

Serial No

From the D C Hassandra-
No DL-C 1071/LEG dated 6-12-46
promise to send a report
10/12 is stated that an
enquiry is being made on the
petitions said to have been
filed contesting the election
when the report will be awaited
if affirmed — Affidavits by —
Mrs 11/ But this is already
2/2 two months old Please
write to the D C Hassandra with
enquire if the enquiry is not
Complete Otherwise it should be
Completed and a report submitted as soon
early the election took place
more than six months ago & the
new M/M Parliament elected should not
be kept out of office for such a
long period Do please

4/2/46

1/ A/C letters pending
Mrs 5/2

13/ Done above

To, the D C Hassandra
L 7922 of 7-2-46.
calls for the report being

NOTE—Contn Sheet

Sub A
Mrs 11/2

File No of 194 | General and Revenue Secretariat

Serial No

From the D-c Hassan el-
ad Dt c 1071/44 & 24-10-46
Forwarding a report on the election
of a non-official President
to the Hdle municipal Council el-

14/ The Hdle municipal Council el-
was conferred with the privilege
of electing a non-official President
to the said el ~~and the Board~~
of in Dec 1944 and the privilege ×17
was renewed on 2/6/45 ×y

15/ The report of the D c Hassan
Dt shows that -

According, election
took place for the Presidentship
29-7-45 and one Mr Ahamed
Ali Seng was declared elected
as President

16/ A few municipal councillors
filed a petition contesting the
validity of the election of
Mr Ahamed Ali Seng
on the grounds referred to
therein — of G A

17/ The Assistant Hdle municipal
Officer who held an enquiry
in the matter, has dealt B

5959/ Election of a Mr - Official Pet to Holeraniyam.

1795

c Law

with on all the points raised by the petitioners in their objection petition against the election & in brief it is seen therefrom that the objections raised were declared to be null and void

B

18/ The D C Hatharasinghe is also reported to have held a further enquiry and he also declares that the election of Mr Nilame & Ale Berge is also in order

19/ In the above circumstances, the Law section may be consulted as to whether the election of Mr Berge is in order or not

Mr a 23/2/46 20/ The opinion of the Law section will be known

dft

by the findings of the D C

Justice order

Mr 23/2 the electors in order to be accepted

for 27/2 24/ In favour of opinion 21/ Yes Sgd

new Secy 25/2/46

Advt Legal Secretary 25/2/46 27/2/46

1795/Law 7468/44 Election of a municipal President - Hassanparé Municipality

23) There is nothing in the recorded proceedings to indicate that the provisions of Rule 4 of the Rules regulating the election of Presidents of Town and Municipal Councils was violated One of the signatories to the petition says that he signed the petition on account of misrepresentation and withdraws the allegations Two members, Messrs G V Venkatachala Setty and B M Puttaranga Setty, state that the Amildar was elected as President of the meeting after all the proceedings were over This is denied by the Amildar who actually presided over the meeting One member Dr Delvi, states that the meeting started in time and that the President for the day's meeting was elected at the commencement, The recorded proceedings fully support this statement ~~moreover~~, no objection seems to have been taken at the time of election There is no substance in this objection

RECEIVED
MAR 11 1940
5774

5719
11/3

24) It is not necessary that all the seats should be filled up before ~~the~~ a election of ~~the~~ a President takes place Sec 36(3) of the Town Municipalities Act provides that any vacancy does not affect the Municipal Council's proceedings It is not necessary that all the members should be present at a meeting It is sufficient if there is a quorum The election of President is regular

5 MAR

Law Sec 5/3

Law Sec w/c 9/3

25) SK

Fr 11/3

26) The Election may be upheld in view of the legal principles

Minister for Agr 11/3/46

5959/L Election of President & Vice President

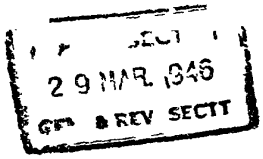
Draft 28th Release

Sec
26/3/46

A draft notification is put up,

Mrs 28/3

Dsec
28/3/46



To,

The comptroller, HG

2 10225

8/4/46.

Notifies the election

Bmra
7/6

G R S App I VI—G 2]
SUBJECT

Abd

Diary No of letter replied to

General and Revenue Secretariat

( )

the *193*

Date of issue 2/6/ 1945

Signed by Mr Iyer Rao

May this be—

(i) printed?

(ii) treated as a standing order?

(iii) published in the Gazette English Part?

(iv) translated?

(v) placed at the disposal of the press?

(vi) published in the Gazette Kannada Part?

Section 14
File No 181-44
Serial No 23

Proceedings of the Government of His Highness the Maharaja of Mysore

Read—

go ns 25 448-50/ml 181-44-7 & 5/12/44 conferring th on the Hlemen from Tumkur dl, the privilege of electing a non-offcial president to the mkl dl

Order thereon—No. 2) Letter no ml c 1071/44-45 dt 12/5/45 from the D c Hassan dt stating that the election of the non-offcial President to the Hlemen from Tumkur dl, as

go referred above, was not held within the prescribed time in view of the instructions issued by him to the Executive Officers of the Municipal to postpone the election for the same until the general elections for the R A F L C over and that as the time fixed for the election of Members by copied has passed, the local Municipal have again resolved to request the govt to renew the privilege of electing a non-official president to the Municipal, as conferred in the above said Govt order No L-1160 dt 2/6/45 and repeating same election time to

~~In view of the circumstances reported by the D C Hassan dt~~, govt are pleased to renew the privilege granted to the Holenarasipur Town Municipal as regards the election of a non-official President to the Municipal

List of Enclosures

the D C Hassan dt is requested to take immediate action in this respect according to the rules present and submit a report to the govt very early

Copied by

Examined by

To, The D C Hassan dt

WD 0279—GPB—2,000—14 4 38

17 3 W/S

Secy Law Dept

M 42-45-61

P/A Sub-file

No M1 C 1071/44-45

Office of the Deputy Commissioner,
Hassan District,
Dated Hassan, the 5th December 45

4052

From

The Deputy Commissioner,
Hassan District

To

The Secretary to Government,
Revenue Department, Bangalore

Sir,

Re Election of non-official President to Holenarsipur Town Municipality

---

Adverting to G O No L 11660-M1 181-44-23 dated 2-8-45 renewing the privilege of electing a Non-official President grarted to Holenarsipur Town Municipal Council, I have the honor to state that the election of non-official President took place on 29-7-45 Out of the candidates(whose names are noted in the margin) contested for the election, Mr Mohamrad Ali Beig was duly declared elected as he secured the highest number of votes and the same was duly notified in the Municipal Office

Messrs
1 K Muttanna,
2 Mohamad Ali Beig,
3 A N Karu

Subsequent to the date of election i e 4-8-45 an objection petition was presented by Messrs R S Sharanna and three other Municipal Councillors of Holenarsipur contesting the validity of the election of a non-official President and this is being enquired into After enquiry, a final reply will be forwarded to Government

Remember
26/1

I have the honor to be,
Sir,
Your most obedient servant,
for Deputy Commissioner,
Hassan District

RL 42-45-61

No NLC 1071/44-45 Office of the Deputy Commissioner,

3 of 7977, 1946

To, the D C Halsam of 7266

Sir,

With reference to your letter no NLC 1071/44 & 5-12-46 re the election of a non-official president to the Hyderabad Municipal Council, I am directed to request you to intimate if the enquiry in the matter is not yet complete and if not, it should be completed and a report submitted to Govt early, as the election is to take place more than six months ago and the non-official gentleman elected should not be kept out of office a

for such a long period
the report will to matter might be
kindly arranged to be sent by return

Yours

Thwaites

J Rusby

5/2/95
9/6

RL 42-45-61

No Rlc 1071/44-45
Enc fifteen sheets

Office of the Deputy Commissioner,
Hassan District,
Dated, Hassan, the 24th Feb 1946

From

H Niranjan Raj Urs, Esq, B A,
Deputy Commissioner,
Hassan District, Hassan

To

J B Mallaradhya, Esq, M A.,
Secretary to Govt of Mysore,
Revenue Department, BANGALORE

Sir,

Subject - ELECTION OF A NON-OFFICIAL PRESIDENT TO THE MUNICIPAL COUNCIL, HOLENARSIPUR

I have the honour to state that the privilege of electing their own non-official President was conferred on the Municipal Council, Holenarsipur by Government in their order No L 5448-50-Ml 181-44-7 dated 15-12-1944 and renewed in their Order No L 11660-Ml 181-44-23 dated 2-6-1945 Accordingly after observing all the formalities as required by rules, the election took place on 29-7-1945 Three candidates competed In the final round Mr Mohamad Ali Beig was declared elected as President since he secured the largest number of votes defeating the other candidate Mr Muthanna, the present Vice-President

On 4-8-1945 four of the Municipal Councillors, Messrs R S Shamanna, Muthanna, H S Suryanarayana Rao and Nanjappa presented an application before me protesting against the election of Mr Mohamad Ali Beig as President They objected to his election under Rule 7 of the Rules regulating the election of Presidents of Town and Minor Municipal Councils The grounds are detailed in their petition enclosed in the file (flag A) / The Amildar who presided was requested to report on several points of objections put forth by them His report is also enclosed (flag B)

Thereupon I have held an enquiry on 17-2-1946 into the allegations made by them in their objection petition I examined all the four petitioners Mr Nanjappa has presented another petition to me on 9-8-1945 alone alleging that his signature was obtained by misrepresentation of the purpose of the protest application It is also enclosed in the file (Flag C) He has

P t o

He has not changed in any way at the time I held the enquiry The enquiry record also is enclosed (Flag D)

The Amildar's report is quite clear on all points raised by the petitioners Their objections are not true The council is divided into two/parties One is a Congress party This is the party which has objected to this election of Mr Mohamed Ali Beig What all they have alleged in their objection petition is not true The Amildar has reported clearly on all points raised by the petitioners I have examined Dr Delvi He has stated that everything went on well as reported by the Amildar I am quite satisfied and convinced that the election took place quite according to rules The petitioners have stated that the President for the day was elected at the close of the days' proceedings I have examined the proceedings Book This resolution has been recorded at the commencement of the day's proceedings and not at the end There is nothing to suspect the bonafides of this recording

In conclusion, I have to state that the election is perfectly in order I therefore request that the election of Mr Mohamed Ali Beig may be approved duly and notified

I have the honour to be,
Sir,
Your Most Obedient Servant,

DEPUTY COMMISSIONER,
HASSAN DISTRICT

JRm 24-2-46

10225 / 11 42-45-62

2 2 46

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated Bangalore 194

NOTIFICATION

Under ~~Section 10 (2) (C) of the Mysore~~ Section 23 (2) (C) of the Mysore Town Municipalities Act 1933 ~~Minor Municipalities Act, 1933~~ Mr Mohamed Ali Beig is elected President of the ~~Minor Municipal Council~~ Town Municipal Council Holenarasipur, Hassan District

By Order

RW *Secretary to Government*
~~Law Department~~

To

The Compiler Mysore Gazette for publication in part III-3 of the Gazette and supply of five copies thereof to the ~~Secretariat and the~~ Deputy Commissioner Hassan District

Memo No 10226 2 2 46-46

Copy of the above is forwarded with compliments to the Deputy Commissioner Hassan District for information with reference to his letter No ~~HL-C~~ 107/11/46-45 dated 24-2-1946 ~~with these words that~~ ~~The records accompany~~

The records accompany

By Order

RW *For Secretary to Government*
~~Law Department~~